

Law Offices

HOLLAND & KNIGHT LLP

2099 Pennsylvania Avenue, N. W.
Suite 100
Washington, D.C. 20006

202-955-3000
FAX 202-955-5564
<http://www.hklaw.com>

Atlanta
Boston
Bradenton
Chicago
Fort Lauderdale
Jacksonville
Lakeland
Los Angeles
Melbourne
Miami
New York

Northern Virginia
Orlando
Providence
San Antonio
San Francisco
Seattle
St. Petersburg
Tallahassee
Tampa
Washington, D.C.
West Palm Beach

International Offices:
Caracas*
Mexico City
*Representative Office:

Rio de Janeiro
Sao Paulo
Tel Aviv*
Tokyo

December 4, 2001

MARGOT SMILEY HUMPHREY
202-457-5915

Internet Address:
mhumphre@hklaw.com

Magalie Roman Salas
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: CC Docket No. 96-262

Dear Ms. Salas:

Nicholas Jackson and Mark Jenn of TDS Metrocom, Inc. (TDS Metrocom), a Competitive Local Exchange Carrier (CLEC) serving small and medium sized markets in Wisconsin, Michigan and Illinois, and I met with Jeffrey Dygert of the Common Carrier Bureau on Friday, November 30, 2001. We discussed TDS Metrocom's petition for reconsideration of the Commission's CLEC access charge order in the above-captioned proceeding, emphasizing

- (1) the need for reexamination and modification of the immediate application of benchmarks for compulsory detariffing to "new markets," especially for facilities based carriers with longer lead times in serving customers that have put planned expansions on hold;
- (2) the need for adjusted benchmarks for CLECs serving small and medium sized markets where costs are higher than the averaged levels charged by the statewide ILECs against which TDS Metrocom must compete and the benefits of competition depend on reasonable cost recovery opportunities; and
- (3) the need for changes to the benchmark rules to recognize, enable and encourage CLEC provision of residential service.

Magalie Roman Salas
December 4, 2001
Page 2

TDS Metrocom questioned the reasoning behind claims that cost-based access charges for CLECs are “subsidies” solely because they exceed ILEC charges. We also discussed how all customers benefit from policies that encourage, rather than impede, competition in large ILECs’ service areas.

In the event of any questions concerning this matter, let me know.

Very truly yours,

Margot Smiley Humphrey

cc: Jeffrey Dygert (via e-mail)